

DOCKET NO: 209072US2RD



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
TATSUNORI KANAI : EXAMINER: FISCHETTI, J. A.
SERIAL NO: 09/864,337 :
RCE FILED: JUNE 28, 2005 : GROUP ART UNIT: 3627
FOR: METHOD AND SYSTEM FOR :
ELECTRONIC COMMERCE USING
TRANSACTION MANAGEMENT
COMPUTER ON NETWORK

ELECTION RESPONSE

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Election Requirement dated May 19, 2006, Applicant elects the Species of Claims 1, 3, 4, and 20, of which Claims 1 and 20 were identified as generic. Applicant makes this election based on the understanding that Applicant is not prejudiced against filing one or more divisional applications that cover the non-elected claims.

In addition to making this election, Applicant respectfully traverses this Election Requirement for the reason that MPEP § 803 states:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

The claims of the present invention would appear to be part of an overlapping search area. Accordingly, Applicant respectfully traverses the Election Requirement on the grounds that a search and examination of the entire application would not place a *serious* burden on the

Examiner, whereas it would clearly be burdensome on Applicant to be required to file, prosecute and maintain separate applications and patents on the identified.

Accordingly, it is respectfully requested that the requirement to elect a single group be withdrawn, and that a full examination on the merits of Claims 1, 3-9, and 20 be conducted.

Respectfully submitted,

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COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RE: Application Serial No.: 09/864,337

Applicants: Tatsunori KANAI

RCE Filed: June 28, 2005

For: METHOD AND SYSTEM FOR ELECTRONIC
COMMERCE USING TRANSACTION
MANAGEMENT COMPUTER ON NETWORK

Group Art Unit: 3627

Examiner: FISCHETTI, J. A.

SIR:

Attached hereto for filing are the following papers:

ELECTION RESPONSE

Our check in the amount of **0.00** is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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